

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

STATE OF MISSISSIPPI, *et al.*,

Plaintiffs,

v.

XAVIER BECERRA, in his official capacity  
as Secretary of Health and Human Services,  
*et al.*,

Defendants.

Civil Action No. 1:22-cv-00113-HSO-RPM

**DEFENDANTS' CONSENT MOTION TO FILE BRIEF IN EXCESS OF PAGE LIMIT**

Defendants hereby move for leave to file a rebuttal memorandum in further support of their cross-motion for summary judgment, to be filed on January 16, 2025, in excess of the Court's page limitation by 9 pages. The reasons for this motion are set forth further below.

1. On October 15, 2024, Plaintiffs filed their second motion for summary judgment. *See* ECF No. 167. The memorandum in support of that motion was 28 pages long. *See* ECF No. 168. On November 5, 2024, Defendants filed a cross-motion for summary judgment. *See* ECF No. 169. The combined memorandum in support of that motion and in opposition to Plaintiffs' motion was 28 pages long. On December 20, 2025, Plaintiffs filed their combined reply in support of their motion for summary judgment and in opposition to Defendants' cross-motion for summary judgment. *See* ECF No. 184. That submission was 23 pages long.

2. Pursuant to Local Rule 7.1(b)(5), Defendants' rebuttal memorandum, currently due on or before January 16, 2025, is limited to 7 pages.

3. The opening and rebuttal memoranda in support of Plaintiffs' motion for summary judgment total 51 pages. *See* ECF Nos. 168 (28 pages), 184 (23 pages).

3. Because of the need to rebut Plaintiffs' 23-page opposition memorandum, Defendants' rebuttal memorandum is approximately 16 pages long, exceeding the page limit by approximately 9 pages. The total number of pages that Defendants will file in support of their cross-motion for summary judgment and in opposition to Plaintiffs' motion for summary judgment, however, will still be 7 pages fewer than those filed by Plaintiffs in support of and in opposition to the same motions.

4. On January 13, 2025, undersigned counsel conferred via email with counsel for Plaintiffs, who consented to this motion.

For all these reasons, Defendants respectfully ask the Court to grant them leave to file a sixteen-page rebuttal memorandum in further support of their cross-motion for summary judgment, to be filed on January 16, 2025, in excess of the Court's page limitation.

Dated: January 13, 2025

Respectfully submitted,

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